

Remarks

Claims 1-20 are pending in this application. By this Amendment, the specification has been amended. After entry of this Amendment, claims 1-20 will remain pending. Reconsideration in view of the above amendments to the specification and the following remarks is respectfully requested.

Allowed Claims 1-13

Applicant appreciates the recognition of allowable subject matter in claims 1-13.

Objection to Specification

The Office Action objects to the specification for allegedly failing to provide proper antecedent basis for the claimed subject matter. More specifically, the Office Action asserts the claimed feature “computer readable storage medium” is not clearly disclosed in the specification to support the claimed feature recited in claims 14-20. This objection is respectfully traversed.

Paragraph 29 of the specification of the present application has been amended to recite “where a module or portions of a module are implemented in software, the software portions are stored on one or more computer readable storage media” and “a computer readable storage medium may take any form capable of storing machine-readable instructions executable on a digital processing apparatus.” Based on the amendments to the specification, the specification provides proper antecedent basis for the feature “computer readable storage media.”

The amendments to the specification do not introduce new matter into the specification. The specification as originally filed would reasonably convey to one of ordinary skill in the art of computer programming that the inventors of the present application had possession of the claimed invention. As originally filed, the specification states “modules may also be implemented in software for execution by various types of processors.” Specification, paragraph 28 (emphasis added). The specification further states “an identified module of executable code

may, for instance, comprise one or more physical or logical blocks of computer instructions.” *Id.* (emphasis added). Further, the specification describes that “a module of executable code could be a single instruction, or many instructions, and may even be distributed ... across several memory devices.” *Id.* at paragraph 29 (emphasis added). Additionally, the claims as originally filed recite a “computer readable storage medium comprising computer readable code.” See, e.g., claim 14.

Based on the foregoing, the specification as originally filed explicitly describes media (e.g., memory or storage devices) that stores software in the form of machine-readable instructions for execution by a processor. Because the specification describes software instructions that are machine-readable and stored on a media, the specification necessarily describes machine or computer readable storage media. Therefore, the specification as originally filed would reasonably convey to one of ordinary skill in the art of computer programming that the specification describes and supports the claimed feature “computer readable storage medium,” as well as the amendments to the specification. For this reason, the amendments to the specification do not constitute new matter.

For at least the foregoing reasons, the specification provides adequate support for the claimed feature “computer readable storage medium.” Accordingly, withdrawal of the objection to the specification as related to claims 14-20 is respectfully requested.

Objection to Claims 14-20

Claims 14-20 are objected to because the claimed feature “computer readable storage medium” allegedly lacks clear antecedent basis in the specification. More specifically, the Office Action contends the specification does not clearly define the claimed feature “computer readable storage medium.” This objection is respectfully traversed.

As discussed above, the specification has been amended to state “a computer readable storage medium may take any form capable of storing machine-readable instructions executable

on a digital processing apparatus.” Based at least on this amendment to the specification, the claimed feature “computer readable storage medium” is clearly defined in the specification and thus has clear antecedent basis in the specification. Therefore, withdrawal of the objection to claims 14-20 is respectfully requested.

Conclusion

Based on the foregoing, Applicant respectfully submits that the current claims are drawn to allowable subject matter and that the application is in condition for allowance. Should the Examiner believe that anything further, such as amendments to the claims, is necessary to place this application in better condition for allowance, the Examiner is requested to contact Applicant’s representative by telephone.

Respectfully submitted,

Date: June 10, 2009

Kunzler & McKenzie
8 E. Broadway, Suite 600
Salt Lake City, Utah 84111
Telephone: 801/994-4646

/Brian C. Kunzler/

Brian C. Kunzler
Reg. No. 38,527
Attorney for Applicant